

SUIT FOR \$300,000 BY MRS. AYRES FOR WEST POINT SNUBS



MRS. ELIZABETH F. AYRES,
Army Officer's Wife Who Will Bring \$300,000 Suit Against West Point Officials for Being Denied Entrance to Grounds.

"OVERCOAT INCIDENT" BEGAN IT

Swiftly following the published report that the War Department had ordered that Mrs. Elizabeth Fairfax Ayres, wife of Lieut. Col. Charles G. Ayres, a hero of Santiago, be denied further entrance to the grounds of the West Point Military Academy, comes the retaliation of Mrs. Ayres.

It is in the shape of damage suits aggregating \$300,000 which she has instructed her attorney in New York to file immediately against these men, whom she holds responsible for the order.

Col. H. L. Scott, superintendent of the academy.

Lieut. Col. Robert L. Howze, commandant of cadets.

Capt. L. W. Oliver, assistant instructor of tactics.

Lieut. Col. Stephen C. Mills, inspector general.

Seconded by Ayres.

In the matter of the suits, which are to be pressed with great vigor, Mrs. Ayres is seconded by Colonel Ayres, known in army circles as "the war chief of the twelfth cavalry," who returned from the Philippines Saturday.

The War Department issued its order upon the recommendation of Lieutenant Colonel Mills, inspector general. He was detailed to investigate the charges made against the officials of the Military Academy by Mrs. Ayres in a personal letter to President Roosevelt, and also the counter-charges made by the officers involved against Mrs. Ayres, filed with the department direct.

Overcoat Incident Blamed.

The general impression at West Point is that the department order, and the damage suits, are the outcome of the "tempest in a teapot" disturbance on the grounds of the academy on Easter Sunday, when Colonel Howze unexpectedly ordered that the visiting young women remove the overcoats of the cadets, which some of them were wearing. Most of the girls were frightened by the demand of the sergeant for the overcoats, and gave them up readily, and it is reported that one young rebel, who stoutly refused to give up a borrowed coat, was the daughter of Lieut. Col. and Mrs. Charles G. Ayres. At any rate, Mrs. Ayres, who was present at the parade, protested vigorously about the order, her protests having been registered with Capt. L. W. Oliver and Commandant Howze.

When questioned about her trouble with the West Point authorities Mrs. Ayres talked freely and spiritedly.

Mrs. Ayres' Statement.

"No, the overcoat affair was not the start of it. That incident only served to intensify an already almost unbearable condition.

"When my daughter and myself came to Highland Falls last year, so as to be near my son, Fairfax, who is a cadet, many people on the post and in the neighborhood told me that it was the common talk that Fairfax was being persistently punished by the officials of the academy. I was told that no matter how trivial might be his offenses his punishment always exceeded that of any other cadet.

"Of course, I instituted an investigation and found that to be the case. I entered an emphatic protest to the officials of the academy.

"Why was he discriminated against?" she was asked.

"I don't know, unless it was because he was the son of his father," was her prompt reply.

"Simply that, Colonel Ayres, by his record as a soldier and by reason of his friendships with prominent officials of the Government, has aroused the

(Continued on Second Page.)

TOOTHsome PIE NOW MENACED BY DR. WILEY

Says It Is Commercialized and Must Be Denatured.

Pie is soon to know its fate. Little did the thoughtful statesman who blithely passed the pure food law realize that it contained dynamite which might shatter the very foundations of our gastronomic liberties. But it did.

"Sir," demanded Senator Henry Cabot Lodge, statesman, scholar, litterateur and aristocrat, when in the Senate cafe one day he could not get his order filled, "Sir, do you mean to tell me that a man can't have cold mince pie when he asks for it here? We must know more of this."

The threat was sufficient. Thereafter cold mince pie was ever ready at the beck of the codfish statesman.

But Dr. Wiley, chief chemist, steely of eye, hard of heart, unyielding of purpose, was not thus easily to be handled. Dr. Wiley has been looking into pie, and circumstantial report declares that his verdict is against it.

Pie Commercialized.

If pie is to be commercialized from the fellowship of prandial properties, it will be one more alarming testimonial to the menace of commercializing tendencies. Time was when pie was as honest as the mother who knew how to make it; wholesome, toothsome, altogether desirable, it appealed to the palate without offense to the integuments of the alimentary tract. Then pie became commercialized.

Nay, more. It was trusted, financed, exploited, degraded. Benzate of soda was introduced into it. Machines were invented to manufacture it. It was turned out by the million. Its circulation was everywhere. It was everywhere. The benzate of soda made its more or less indefinite preservation possible; and after long and exhaustive experimentation, Dr. Wiley, according to alarming rumor, has decided that benzate of soda is altogether bad, and must be suppressed. With it must go the pie of commerce.

Came Over in Mayflower.

Pie came over in the Mayflower. The men who laid the foundations of this

(Continued on Second Page.)

THE WEATHER REPORT.

The center of the Western disturbance is now in Kansas, although pressure is still low in the Rocky mountain region. The St. Lawrence valley depression is slowly filling up, but is still a factor in the Plains States north of Kansas, and generally throughout the Mississippi valley north of Tennessee. The temperature conditions have not changed materially.

Showers are indicated for tonight and Saturday in the Ohio valley, the lower lake region, and the middle Atlantic States. Important temperature changes are not anticipated.

Steamers departing today for European ports will have light to fresh southwesterly winds and fair weather to the Grand Banks.

SUN TABLE.

Sun sets today.....7:23
Sun rises tomorrow.....6:34

TIDE TABLE.

High water today.....5:02 p. m.
Low water today.....12:11 p. m.
High water tomorrow.....6:32 a. m.
Low water tomorrow.....12:22 a. m., 12:30 p. m.

HARPERS FERRY, W. Va., June 7.—Potomac and Shenandoah, muddy.

CABINET MEETS WITH OFFICIALS OVER HARRIMAN

President Calls Conference at White House Tonight.

Interstate Commissioners and Counsel Kellogg to Be Present.

Talk of Punishing Czar Without Harming Other Railroad Men.

Is it possible to segregate Edward H. Harriman, bad railroad man, from others who may be called good railroad men, and punish him without injuring them?

Can one railroad combination be prosecuted and smashed while another, which stands in substantially the same relation to the laws, shall not be affected?

These are the questions, among others, that are to be considered at the White House conference tonight of Cabinet officers, Interstate Commissioners, the President, and Special Counsel Kellogg.

The Administration is in nowise convinced of the desirability of Harriman or of his financial methods. It is no less anxious that it has been heretofore to make an example of him, and to wrench loose the grasp of iron in which his system holds the commerce of a mighty section of the country. But whether this can be done without inflicting irreparable injury on other railroad combinations that have not been placed in the class of undesirables, is a hard problem.

Suggestion at Indianapolis.

In his Indianapolis speech the President made a suggestion which may be potent in determining the attitude finally taken. He declared that the acts of great business interests should be judged by the laws in effect at the time they were performed. Stretching this, it has been said that these acts should be judged by the laws as they were construed at the time the acts were performed, and it may be possible to punish Harriman without injuring others who have done the same things he did.

Higher Criminality.

Here is the condition of affairs that may yet be appealed to as establishing a higher criminality on Mr. Harriman's part than on the part of other men who have consolidated railroads.

Mr. Harriman in 1901 had the Union Pacific take over the control of the Southern Pacific road. That was subsequent to the decision of the Supreme Court in the Joint Traffic and Trans-Missouri Traffic Association cases, which held that suppression of competition among railroads was contrary to the Sherman law.

Mr. Harriman did what the highest court had held to be in violation of the Sherman law. Men who engineered great railroad combinations before those decisions of the court did what everybody at the time supposed to be legal. "The law was the same, but the construction different."

Sherman Law and Railroads.

The Sherman law was not supposed when it was passed to apply to railroads. There is ample testimony, including that of the men who passed it and of the men who served on the Interstate Commerce Commission, in support of this statement. When the Supreme Court, in the traffic association cases, held that the law really did apply to railroads, and that it outlawed arrangements for the suppression of competition between them, a new meaning and a tremendous significance, theretofore unsuspected, were read into the law.

Before this new meaning was read into the law, most of the big railroad systems of the country had been formed. The Pennsylvania, the New York Central, and many others could be named.

Harriman's Consolidations.

After this new meaning was construed into the law, Mr. Harriman, fully knowing the law and its new significance, consolidated the Union and Southern Pacific. It is maintained that there is a moral difference, which by some is regarded very broad, between the acts of men who founded combinations before and after this construction of the law. Does that moral difference justify the difference in treatment of different combinations? Does it warrant prosecuting the Harriman system, while allowing the Pennsylvania and the New York Central go untouched? That is the question.

But there are other difficulties. Did Mr. Harriman consolidate parallel and competing roads, or did he merely buy a connecting line, when he acquired the Southern Pacific? There is a good deal of weighty authority on both sides.

The Harriman contention is that the transaction was simply the acquisition of an absolutely necessary connection, which would have failed without the hands of the Gould system if Harriman had not secured it.

"Good" and "Bad" Systems.

Again, if the decision is in favor of prosecuting Harriman, and if a decision is secured compelling the Union Pacific to give over its control of Southern Pacific, can that decision be limited in application to the "bad" Harriman system, or will it also hit the "good" systems, despite the fact that they were formed before the traffic association decisions, and despite the fact that the Government doesn't care to prosecute them?

And, finally, would the benefits flowing from a successful prosecution of the Harriman system be worth enough to offset the possible disasters which might follow if it caused such a reign of financial terror?

ARMED MEN GATHER TO LYNCH RATLIFF, GIRL'S ASSAILANT

From left to right, top—Miss Ona Bird, the victim; Arnold Gladwell, girl's sweetheart; Prosecutor Hill. Bottom—Warwick Ratliff, the accused; Assistant Prosecutor McNeil.



HORRIBLE DEATH FROM BALLOON; FELL 2,000 FEET

BERLIN, June 7.—Caught in the ropes of a giant balloon, in which Count Mendoza Cardina and three companions made an ascent late yesterday, and carried to a height of 2,000 feet, a workman met an awful death here when he was dashed to a street and his body crushed to an unrecognizable mass.

A frazzled rope caught the man as the balloon rose. He managed to grasp the rope, and hung on for a while. The occupants of the car made a desperate effort to haul him up, but the man evidently fainted and fell.

DELAY HOLMES CASE FOR MOTION DAY

Justice Stafford, in Criminal Court No. 1, today adjourned the case against Edwin S. Holmes, Jr., on trial for conspiracy to defraud the United States in what is known as the "cotton leak scandal" of the Agricultural Department, until Monday.

It being motion day in the District Supreme Court, the engagements of counsel in other courts were allowed to be excuses for the adjournment.

\$1.25 to Baltimore and Return

Every Saturday and Sunday, via Pennsylvania Railroad. Tickets good returning until Sunday night. All regular trains except "Congressional Limited."—Adv.

THOUSANDS DIE IN CITY SWEEP BY A CYCLONE

BOMBAY, India, June 7.—Kurrachee, a town of 120,000 population, situated on the Arabian sea, has been swept by a disastrous cyclone. Thousands of lives are believed to have been lost.

It is reported that every house in the city was destroyed.

Several vessels in the harbor, some of the best in India, were driven ashore.

Many persons are reported to have been drowned.

A tidal wave is reported to have accompanied the cyclone, sweeping far inland over the low-lying land on which the city was built.

Residents who escaped are in a panic. The property loss will be enormous. Kurrachee has extensive shipping interests and it is reported these have suffered severely. Almost all the ships in the harbor are said to have been wrecked.

Damage was done by both wind and water.

The entire population is homeless as the few buildings which remain standing are not safe.

MADE FLAGS FOR 22 YEARS.

MRS. C. R. LYNCH IS DEAD

Mrs. Carrie R. Lynch, for twenty-two years employed as an expert flag cutter and maker in the M. G. Copeland Company's store, died at the Sibley Hospital yesterday, after undergoing an operation. She is survived by her husband. Mrs. Lynch was born in Baltimore thirty-eight years ago. The funeral arrangements are not yet completed.

ONA BIRD IN TEARS ON STAND

Case in Hands of Jury, Verdict Expected Today.

MARLINTON, W. Va., June 7.—This town is now filled with armed mountaineers, and open threats of lynching are made in case of a disagreement of the jury in whose hands rests the fate of Warwick Ratliff, charged with criminal assault upon Miss Ona Bird, the sixteen-year-old daughter of Uriah Bird, as she was eloping with her boy sweetheart, Arnold Gladwell, on May 22.

Arguments to the jury were finished late last night, and the case was given to the jury at once.

Gay Contradicts Himself.

Ratliff took the stand in his own defense and denied that he had attacked the girl. He declared that he intended to bring her back to her father, but was so intoxicated that he fell off his horse in the road. Albert Gay, charged with being Ratliff's accessory, was subjected to a searching cross-examination that involved him in many contradictory statements.

Little Girl in Tears.

When the diminutive girl, Miss Bird, took the stand, she wept as though her heart would break. She testified: "My name is Ona Bird. I am sixteen years old. My home is in Marlinton, W. Va. I am acquainted with Arnold Gladwell, but I do not know Mr. Ratliff personally. I have known Arnold seventeen months."

"Where were you on the 22d of May?"

"Up on the mountains, near Mr. Nickels' house."

"Did you meet Arnold Gladwell?"

"Yes. He met me on the road near Mr. Nickels' house."

"What did you do?"

Arrival at Ratliff's.

"We walked up the road to Mr. Nickels' house. We stopped on a bank on the edge of a little run. We remained there until between 2 and 3 o'clock. We went up a hollow on the left side of Mr. Nickels' house. We then went by a colored man's house. Then we went into a little woods and sat there about five minutes. Then we went along the road to Ratliff's house."

(Continued on Second Page.)

ORCHARD FACING ORDEAL

Haywood's Angry Glare Fixed on Hostile Witness.

Defense Aims to Prove Him Pinkerton Agent.

BOISE, Idaho, June 7.—Can Harry Orchard withstand this—the severest strain a witness ever was subjected to?

That is the chief question in Boise today.

The manner in which he emerges from the ordeal means an ultimate decision in the cases against the accused officials of the Western Federation of Miners. He showed clearly the strain of his direct examination when turned over to Attorney Richardson, and it was more for the condition of the witness than regard for the attorneys or the crowd, that Judge Wood adjourned court after the witness had been under heavy cross-fire questions for but twenty-one and a half minutes.

Shows No Emotion.

Orchard's story seems well-nigh unbelievable. At no time during the entire recital of the crimes did he show the slightest emotion, with the possible exception of when describing the consumption of the actual death of Steunenberg, and then, apparently, only because he saw the son of the man whom he says he killed.

It was a moment filled with possibilities, but young Steunenberg held his feelings under control and the witness hurried over the actual details of the killing.

Through the grim recital, the accused, Haywood, never for a moment turned his attention from the man on the stand. Though his face is disfigured by the loss of one eye, Haywood's countenance, blazed with fury as he occasionally whispered in the ears of Darrow or Richardson, indicating the strongest feeling.

Haywood's Futile Fuming.

Were it not for the restraining force of his attorney, Haywood would ere this have made a bitter reply to Orchard's accusations. He is a decidedly strong man, the real type of Western fighter, and for hours at a time he fumes futilely because he can not for the present tell the public his side of the controversy.

The cross-examination demonstrated that the defense will before the week ends try to prove that Orchard entered the Pinkerton agency immediately upon reaching the West and has been reporting ever since.

Story of Murder Of Steunenberg Told by Orchard

BOISE, Idaho, June 7.—Harry Orchard completed his amazing narration of organized murder and assassination with an account of how he blew up former Gov. Frank Steunenberg, for whose murder William D. Haywood, secretary of the Western Federation of Miners, is now on trial.

James A. Hefley finished the direct examination of Orchard at 3 o'clock precisely, and Lawyer Richardson, of the defense, at once took up the cross-examination. Up to the time of adjournment he made not the slightest impression upon the story that Orchard had told.

Day's Murder Record.

The day's murder record exhibited accounts of repeated attempts to assassinate Governor Peabody, of Colorado; Gen. Sherman Bell, who commanded the Colorado militia at the strike of Cripple Creek, in 1897; Judge Gabbert, and Judge Goddard, of the Colorado supreme court, who rendered decisions against the strikers, and Fred Hearn, manager of the Colorado Fuel and Iron Company.

None of these are successful, though an attempt to get Judge Gabbert caused the death of a mining engineer named Marion Walley.

His account of his instructions from Haywood for the killing of Steunenberg was the sensation of a day of sensations.

He said Haywood told him to go to Caldwell and "get" Steunenberg. After that Haywood said, the witness declared, that somebody could go to Patterson, N. J., and write letters to Peabody, Gabbert, Goddard, Bell, and others, enemies of the Western Federation of Miners, and point out that the avenger had waited for years after Steunenberg's death for his revenge, and the union had then "got" him. That would remind them that they were never safe from vengeance, Orchard said that Haywood had told him that would be worse than death.

"A Living Death."

"It would be a living death, Haywood said," declared Orchard, and he glanced at Haywood a moment as he said it. A shudder ran around the courtroom.

It was afternoon before Orchard came to tell of the death of Steunenberg. He gave in detail the story of his preliminary visits at Caldwell in September and November. He left Denver in August, he said, at the express order of Hay-